

## HOUSE JOINT RESOLUTION NO. 43

INTRODUCED BY P. CLARK

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING THAT A STUDY BE CONDUCTED TO ASCERTAIN THE STATUS OF THE DESIGNATION AND DISTRIBUTION OF HUNTING LICENSES, AS WELL AS OPTIONS FOR IMPROVING THE RELATIONSHIPS BETWEEN LANDOWNERS AND SPORTSPERSONS, AND THAT THE RESULTS OF THE STUDY BE REPORTED TO THE 58TH LEGISLATURE.

~~WHEREAS, in 1995, the 54th Legislature established a plan to attempt to achieve an equitable balance in the distribution of big game licenses and other matters among the competing interests of landowners, hunters, and outfitters; and~~

~~WHEREAS, landowner stewards provide important habitat that beneficially contributes to the perpetuation and health of wildlife populations; and~~

~~WHEREAS, some landowners have closed their land to public hunting, with some closures also precluding public access to public land, thus diminishing or preventing the harvest of big game; and~~

~~WHEREAS, restricted access to private property for public hunting prevents the Montana Department of Fish, Wildlife, and Parks from managing big game population numbers and distribution; and~~

~~WHEREAS, increasing privatization of public wildlife resources is restricting access to public hunting opportunities and straining relations between landowners and sportspersons; and~~

~~WHEREAS, the basic principles of wildlife management require public hunting as a management tool; and~~

~~WHEREAS, there is also some concern that outfitters have created a marketplace for hunting leases and hunting rights and that this marketplace has removed thousands of acres from access by resident hunters and has contributed to the privatization and commercialization of public wildlife; and~~

~~WHEREAS, the equitable distribution of big game licenses among landowners, sportspersons, both resident and nonresident, and outfitters is an ongoing issue of concern as evidenced by the numerous bills introduced in the 57th legislative session that have attempted to change the distribution; and~~

WHEREAS, it was understood by the 54th Legislature and the parties interested in and involved in the issue during and since the 54th legislative session that, after a period of study, the plan adopted

1 in 1995 may need to be adjusted to attain or maintain the balance between or among competing wildlife  
2 interests; and

3 ~~WHEREAS, the committee that is widely referred to nowadays as the Private Lands/Public Wildlife~~  
4 ~~Council was created in 1995 under the requirements of section 87-1-269, MCA, to bring resolution to~~  
5 ~~these contentious issues; and~~

6 ~~WHEREAS, resolution to these contentious issues is an ongoing issue of concern; and~~

7 ~~WHEREAS, the Legislature continues to believe that a more equitable balance in the distribution~~  
8 ~~of licenses among landowners, hunters, and outfitters can be restored or achieved with minimal~~  
9 ~~adjustment.~~

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11 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE  
12 STATE OF MONTANA:

13 That the committee established in section 87-1-269, MCA, and commonly known as the Private  
14 Lands/Public Wildlife Council be urged to study and evaluate the following issues:

15 (1) THE DESIGNATION OF VARIOUS TYPES OF HUNTING LICENSES AND the distribution of hunting licenses,  
16 including the use of set-asides for landowners, outfitters, and nonresidents;

17 (2) the ~~loss~~ STATUS of public access to private land AND TO AND ACROSS PUBLIC LAND and the CAUSES  
18 OF ANY loss of access to public land as a result of the closure of private land;

19 (3) the landowner preference system and the use of complimentary licenses; and

20 (4) ~~in general, the privatization and commercialization of wildlife that are causing a loss of free~~  
21 ~~public hunting opportunity~~ EVALUATION OF THE CRITERIA FOR SELECTION OF ENROLLEES IN THE HUNTER MANAGEMENT

22 PROGRAM AND THE HUNTING ACCESS ENHANCEMENT PROGRAM PROVIDED FOR IN SECTIONS 87-1-265 THROUGH  
23 87-1-267, MCA, AND EXAMINATION OF THE CRITERIA FOR DETERMINING THE EFFECTIVENESS OF THOSE PROGRAMS.

24 BE IT FURTHER RESOLVED, that:

25 (1) the Private Lands/Public Wildlife Council notify and attempt to include all interested parties in  
26 the study and evaluation. As contemplated by the Legislature, interested parties include but are not limited  
27 to representatives from interest groups representing landowners, hunters, and outfitters.

28 (2) all aspects of the study, including a presentation to and review by the Environmental Quality  
29 Council, established in section 5-16-101, MCA, and the Fish, Wildlife, and Parks Commission, established  
30 in section 2-15-3402, MCA, be concluded prior to September 15, 2002; and

3 - END -